

ACT-019-003

RWB

November 22, 1976

Mr. Brian T. Dolan
DAVIS, GRAHAM & STUBBS
950 Seventeenth Street
Denver, Colorado 80202

Dear Brian:

Enclosed is our letter to NRC per our telephone conversation of November 22nd. The changes which have been made from your original suggested form were made to bring the standards in line with alternative III of the Dames & Moore report.

We assume that with the concurrence of NRC on this position, Atlas will submit the surety for reclamation performance at the Atlas Mill.

Very truly yours,

DIVISION OF OIL, GAS, AND MINING

RONALD W. DANIELS, COORDINATOR
OF MINED LAND DEVELOPMENT

RWD/lc

Enclosure

November 22, 1975

Mr. Brian E. Doherty
DAVIS, GERALD & DUNN
950 Seventeenth Street
Denver, Colorado 80202

Dear Brian:

Enclosed is our letter to WNC per our telephone conversation of November 20th. The changes which have been made from your original suggested form were made to bring the standards in line with the time of the Jones & Moore report.

We assure that with the recommendations of WNC on this position, Allen will submit the report on restoration performance at the Atlas Hill.

Very truly yours,

DIVISION OF OIL, GAS, AND MINING

RONALD W. DANIELS, COORDINATOR
OF MINED LAND REDEVELOPMENT

RWD/ra

Enclosure



CALVIN L. RAMPTON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

CLEON B. FEIGHT
Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

GUY N. CARDON
Chairman

CHARLES R. HENDERSON
ROBERT R. NORMAN
I. Daniel Stewart
HYRUM L. LEE

November 22, 1976

Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Mr. Ross Scarano

Re: Atlas Corporation - Moab, Utah
Uranium Mill Site and Tailings
Pond Stabilization & Monitoring

Gentlemen:

The purpose of this letter is to ammend our letter to you of June 28, 1976, and set forth our understanding and agreement with respect to the division of responsibility between the Nuclear Regulatory Commission (NRC) and the Utah Division of Oil, Gas, and Mining in establishing requirements for reclamation of the mill site and tailings pond at Atlas Corporation's (Atlas) uranium mill in Moab, Utah, and in monitoring and maintaining such site and tailings pond after reclamation.

Pursuant to the Utah Mined Land Reclamation Act (Utah Code Annotated 1953, Title 40-8-1, et seq.) The Division of Oil, Gas, and Mining has established requirements for reclamation by Atlas of the mill site and tailings pond at the Moab, Utah mill when active operations at the mill are terminated. Such requirements are substantially those outlined as Alternative III in the August 15, 1975, report by Dames and Moore, a copy of which you have, except that the requirement for reshaping the slopes plan, estimated to cost \$616,000. would consist of the following:

- (1) Burial of 45 acres of fines with approximately 4.5 feet of beach materials. The final burial depth will be subject to approval by the NRC and the Division of Oil, Gas, and Mining and will be dependent upon depth measurements of soft slimes and results of tests to determine quantities of beach materials needed to provide a firm base for surface cover.
- (2) Covering of 97 acres of tailings pond with one foot of surficial material.

- (3) Sludge application at the rate of 15 tons per acre, one-time irrigation and the establishment of vegetation through seeding and/or planting of 130 acres of pond and dikes. During the operating lifetime of the plant a demonstration program will be conducted to develop the optimum revegetation method.
- (4) Decontamination and removal of all equipment, machinery, debris and buildings.
- (5) Grading and cover of mill site and foundation pads.
- (6) Fencing of the tailings pond and mill site; and
- (7) Reshape all tailings pile slopes to a 3:1 (33%) slope. *18.5°*

Atlas has agreed to carry out such reclamation at its expense; such reclamation plan has been published and public comments received pursuant to the U.C.A. Title 40-8-10; and, the Board of Oil, Gas, and Mining has approved the plan. In accordance with U.C.A. Title 40-8-14, the Division of Oil, Gas, and Mining will now require Atlas to provide an acceptable surety arrangement to ensure that the approved reclamation plan will be completed when mill activities are terminated.

Upon Atlas' completion of the reclamation of the mill site and tailings pond in accordance with the approved plan, the Division will have full and sole responsibility for all future monitoring and maintenance of the reclaimed areas.

It is our understanding that on the basis of the foregoing representations and undertakings, NRC will have satisfied itself that acceptable reclamation, monitoring and maintenance arrangements have been made with respect to the tailings pond and mill area for purposes of its licensing of Atlas' milling operations. We will appreciate receiving your written confirmation of this understanding.

Very truly yours,
DIVISION OF OIL, GAS, AND MINING

Cleon B. Feight
CLEON B. FEIGHT
DIRECTOR

CBF/lc

cc: Brian Dolan
Bill Badger

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DONALD S. STUBBS
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LESTER R. WOODWARD
DONALD J. O'CONNOR
WALTER B. ASH
THOMAS S. NICHOLS
L. RICHARD FREESE, JR.
DALE R. HARRIS

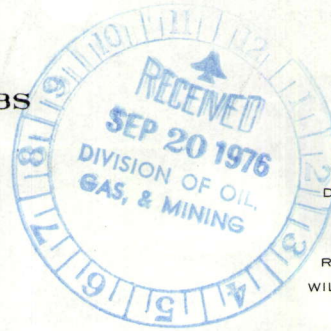
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ANDREA I. WILLIAMS
ALAN M. LOEB
A. BRUCE CAMPBELL
CHARLES D. CALVIN
JOHN C. GUADNOLA
WILLIAM A. BIANCO
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FRANK W. VISCIANO

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950 SEVENTEENTH STREET
DENVER, COLORADO 80202



303-892-9400
CABLE ADDRESS
DAVGRAM, DENVER

ROBERT L. STEARNS
WILLIAM V. HODGES, JR.
COUNSEL

September 16, 1976

CIRCULATE TO:

DIRECTOR _____ ☒
PETROLEUM ENGINEER _____ ☒
MINE COORDINATOR _____ ☒
ADMINISTRATIVE ASSISTANT _____ ☒
ALL _____ ☒
RETURN TO *Rn*
FOR FILING

Mr. Cleon B. Feight
Director, Division of Oil,
Gas and Mining
State of Utah
1588 West Temple
Salt Lake City, Utah 84116

Re: Atlas Corporation - Moab, Utah
Uranium Mill Site and Tailings Pond,
Stabilization and Monitoring Agreement

Dear Mr. Feight:

Pursuant to the suggestions in the letter of July 15, 1976 from the Nuclear Regulatory Commission to me, a copy of which you received, I have revised the proposed letter agreement between the State of Utah and the Nuclear Regulatory Commission governing the division of responsibility for supervising and monitoring the mill site and tailings pond stabilization program at Atlas Corporation's Moab, Utah plant. A copy of the revised letter agreement is enclosed for your information. It conforms to the previous draft, which you approved, except that subparagraphs (1) and (3) have been modified slightly to conform to the comments in the Nuclear Regulatory Commission's letter.

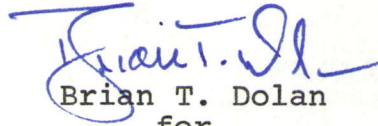
May I suggest that the enclosed form of letter agreement be placed on your letterhead and executed by the State of Utah and then forwarded to the Nuclear Regulatory Commission for execution and return. After that has been accomplished Atlas Corporation will be prepared to satisfy the requirements of Utah Code §40-8-14 relating to an acceptable surety arrangement to insure that the approved reclamation plan is carried out.

*Ron, if you agree have
Lulu copy
Z*

Mr. Cleon B. Feight
September 16, 1976
Page Two

Please call me if you have any questions or comments.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Brian T. Dolan", with a stylized flourish at the end.

Brian T. Dolan
for
DAVIS, GRAHAM & STUBBS

BTD:pr
Enclosure
cc: W. P. Badger

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

August 15, 1976

Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Mr. Ross Scarano

Re: Atlas Corporation - Moab, Utah
Uranium Mill Site and Tailings
Pond Stabilization & Monitoring

Gentlemen:

*amend our letter to you of 6/28/76
and*

The purpose of this letter is to set forth our understanding and agreement with respect to the division of responsibility between the Nuclear Regulatory Commission ("NRC") and the Utah Division of Oil, Gas, and Mining in establishing requirements for reclamation of the mill site and tailings pond at Atlas Corporation's ("Atlas") uranium mill in Moab, Utah, and in monitoring and maintaining such site and tailings pond after reclamation.

Pursuant to the Utah Mined Land Reclamation Act (Utah Code Annotated 1953, Title 40-8-1, et seq.) The Division of Oil, Gas, and Mining has established requirements for reclamation by Atlas of the mill site and tailings pond at the Moab, Utah mill when active operations at the mill are terminated. Such requirements are substantially those outlined as Alternative III in the August 15, 1975, report by Dames and Moore, a copy of which you have, except that the requirement for reshaping the slopes plan, estimated to cost \$460,000.00 would consist of the following:

616,000

- (1) Burial of 45 acres of fines with approximately 4.5 feet of beach materials. The final burial depth will be subject to approval by the NRC and the Division of Oil, Gas, and Mining and will be dependent upon depth measurement of soft slimes and results of tests to determine quantities of beach materials needed to provide a firm base for surface cover.

- (2) Covering of 97 acres of the tailings pond with six inches of surficial material.

- (3) *one foot* Sludge application, *at the rate of 15 tons per acre* one-time irrigation and seeding and/or planting of 130 acres of pond and dikes. During the operating lifetime of the plant a demonstration program will be conducted to develop the optimum revegetation method. *the establishment of vegetation through*

- (4) Decontamination and removal of all equipment, machinery, debris and buildings.

- (5) Grading and cover of mill site and foundation pads; and

- (6) Fencing of the tailings pond and mill site.

- (7) Reshape all tailings pile slopes to a 3:1 (33%) slope.*

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It is our understanding that, on the basis of the foregoing representations and undertakings, NRC will have satisfied itself that acceptable reclamation, monitoring and maintenance arrangements have been made with respect to the tailings pond and mill area for purposes of its licensing of Atlas' milling operations. We will appreciate receiving your written confirmation of this understanding.

Very truly yours,

DIVISION OF OIL, GAS,
AND MINING

*cc: Brian Dolan
Bill Badger*

Cleon B. Feight
Director